



COMPTROLLER GENERAL OF THE UNITED STATES
WASHINGTON, D.C. 20548

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B-179630

November 7, 1973

Ms. Mylred N. Jones
Authorized Certifying Officer
Division of Finance, Building 20
Bureau of Mines
United States Department of the Interior
Denver Federal Office
Denver, Colorado 80225

Dear Ms. Jones:

Your letter dated August 30, 1973, MMH-ADM-PIN, requested instructions as to whether you may certify for payment the enclosed voucher requesting compensation for Mr. Jeffrey L. Gans, former temporary employee of the Bureau of Mines, Department of the Interior. The question raised is whether paid holidays should be counted toward a temporary employee's total employment time limitation.

The Bureau of Mines hired Mr. Gans as a General Schedule employee under a temporary appointment not to exceed May 2, 1973, which was subject to a total employment limitation of 700 hours as prescribed by the Civil Service Commission under 5 CFR 316.402(a). In addition to the holidays which occurred during his period of employment, Mr. Gans spent 700 actual hours on the job. You have submitted a voucher on Mr. Gans' behalf for \$127.77 which you say is due him if paid holidays should not have been counted toward the 700-hour employment time limitation.

In discussing temporary employment, Federal Personnel Manual chapter 316, paragraph 4-7 states that the term "700 hours" means "700 actual work hours regardless of whether the work is performed on a part-time, full-time or overtime basis. Leave, with or without pay, is not counted." The Civil Service Commission informally advised us that the quoted provision was intended to permit temporary employees to perform 700 hours of actual work not including paid holidays. Since that interpretation is consistent with the words

[Computation of Temporary Employee's Total Employment Time Limitation]

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of the provision in question we are of the opinion that when an employee is not working due to a paid holiday the holiday time should not be counted toward the 700-hour time limitation.

Accordingly, the voucher may be paid if otherwise correct.

Sincerely yours,

Paul G. Dembling

For the Comptroller General
of the United States

Enclosure

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